

Representatives in the Seventy-fifth Congress from the First Congressional District of the State of New Hampshire; and be it further

Resolved, That Alphonse Roy is entitled to a seat in the House of Representatives in the Seventy-fifth Congress from the First Congressional District of the State of New Hampshire.

After debate, Mr. Bertrand H. Snell, of New York, demanded a division of the question.

The Speaker⁽¹⁷⁾ ruled that Mr. Snell was "entitled to ask for a division of the question."

As to Election of House Officers

§ 49.6 Prior to adoption of the rules, a resolution providing for the election of the officers of the House is divisible.

On Jan. 21, 1971,⁽¹⁸⁾ Mr. Olin E. Teague, of Texas, sought immediate consideration of the following resolution:

H. RES. 1

Resolved, That W. Pat Jennings, of the Commonwealth of Virginia, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby,

17. William B. Bankhead (Ala.).

18. 117 CONG. REC. 13, 92d Cong. 1st Sess.

chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the Commonwealth of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Edward G. Latch, D.D., of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. John B. Anderson, of Illinois, then requested a division of the question so that a separate vote could be obtained with respect to the Office of the Chaplain. The Speaker⁽¹⁹⁾ honored Mr. Anderson's request, and that portion of the resolution was voted on and agreed to.⁽²⁰⁾

§ 50. Propositions Considered Under a Motion To Suspend the Rules

§ 50.1 It is not in order to demand a division of the question on a proposition considered under a motion to suspend the rules.

On Sept. 20, 1943,⁽¹⁾ Mr. John W. McCormack, of Massachusetts,

19. Carl Albert (Okla.).

20. For a similar instance, see 113 CONG. REC. 27, 90th Cong. 1st Sess., Jan. 10, 1967. This procedure is usually followed on opening day of each Congress in order to show unanimity of support for the Chaplain of the House.

1. 89 CONG. REC. 7646, 7655, 78th Cong. 1st Sess.

moved to suspend the rules and agree to the following resolution:

Resolved, That the time for debate on a motion to suspend the rules and pass House Concurrent Resolution 25 shall be extended to 4 hours, such time to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs; and said motion to suspend the rules shall be the continuing order of business of the House until finally disposed of.

A discussion of the resolution ensued after which the following exchange took place:

MR. [EVERETT M.] DIRKSEN [of Illinois]: Mr. Speaker, a further parliamentary inquiry.

THE SPEAKER:⁽²⁾ The gentleman will state it.

MR. DIRKSEN: The resolution contains two substantive proposals. Is it by reason of this fact divisible?

THE SPEAKER: Not under a suspension of the rules, because the first proposal suspends all the rules.

§ 51. Reports From the Committee of the Whole on Amendments Considered Therein

When Senate amendments to a House bill are referred to the Committee of the Whole, the text for consideration in that Committee is the language of the Senate amendment. When the text of a bill is before the Committee of

the Whole, the Committee has only the authority to recommend changes to that text. The Chairman's report, when the Committee rises, is that "the Committee of the Whole has had under consideration the bill H.R. 1234 and reports the same back with the recommendation that the bill pass with the following amendments." When Senate amendments are reported back, the report is that the "Senate amendment be disagreed to, agreed to, or agreed to with an amendment." In either case, each amendment recommended by the Committee of the Whole is subject to being voted on separately, absent a special rule or unanimous consent.

§ 51.1 A recommendation from the Committee of the Whole that a Senate amendment be concurred in with an amendment striking out the text of the Senate amendment and inserting new text is not divisible as between concurring and the amendment.

On July 12, 1945,⁽³⁾ the House resolved itself into the Committee of the Whole for the purpose of considering a bill (H.R. 3368)

2. Sam Rayburn (Tex.).

3. 91 CONG. REC. 7474, 7489, 7493, 7494, 79th Cong. 1st Sess.